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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/523,544

01/31/2005

Brian Davidson

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WARE FRESSOLA VAN DER SLUYS &
ADOLPHSON, LLP
BRADFORD GREEN BUILDING 5
755 MAIN STREET, P O BOX 224
MONROE, CT 06468

EXAMINER

KARIKARI, KWASI

ART UNIT

PAPER NUMBER

2686

DATE MAILED: 01/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/523,544

Applicant(s)

DAVIDSON, BRIAN

Examiner

Kwasi Karikari

Art Unit

2686

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 40-63 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 40-63 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 January 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>01/31/05</u> . | 6) <input type="checkbox"/> Other: _____ |

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on 01/31/2005 is in compliance with the provision of 37 CFR 1.97, has been considered by the Examiner, and made of record in the application file.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 40-44,48-51,54,55,59,60 and 63 are rejected under U.S.C. 103(a) as being unpatentable over Seymour et al. (GB 2320397A), (hereinafter Seymour) in view of Nelson et al., (U.S. 4,633,232), (hereinafter Nelson).

Regarding claims 40 and 48 , Seymour discloses a portable device

(see Page 1, lines 1-5 and Fig. 1) comprising:

unauthorized separation detection means arranged to detect the unauthorized separation of the portable device (automatic inhibition of operation upon sensing absence of intimate proximity to the base (see Page, last paragraph- Page 2, line 3) and control means (automatic inhibition of operation, see Page 2, lines 1-7) arranged to

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effect at least partial disablement of the portable device in response to the unauthorized separation of the portable device (see Page 1, lines 1-5 and Fig. 1).

However Seymour fails to teach separation detection means are means for detecting the release of a releasable connector connecting the portable device to a person.

Nelson teaches separation detection means are means for detecting the release of a releasable connector connecting the portable device to a person (spring slip 55 is released from the device as a robber removes the purse, see col. 4, line 56- col. 5, line 12 and Figs 1 & 7).

It would therefore have been obvious to one of the ordinary skill in the art to combine the teaching of Nelson into the system of Seymour for the benefit of achieving a system that can detect and prevent an unauthorized use of the system.

Regarding **claims 41 and 49**, as recited in claims 40 and 48, Seymour fails to teach that the releasable connector comprises a strap.

Nelson teaches that cord 54 is connected to the device through spring slip 55 which is inserted through opening 34 (see col. 4, line 56- col. 5, line 12 and Figs 1 & 7).

It would therefore have been obvious to one of the ordinary skill in the art to combine the teaching of Nelson into the system of Seymour for the benefit of achieving a system that can detect and prevent an unauthorized use of the system.

Regarding **claims 42 and 50**, as recited in claims 40 and 48, Seymour fails to teach that the releasable connector is released by severance.

Nelson teaches that the robber removes the purse by pulling or cutting the handle (see col. 4, line 56- col. 5, line 12 and Figs 1 & 7).

It would therefore have been obvious to one of the ordinary skill in the art to combine the teaching of Nelson into the system of Seymour for the benefit of achieving a system that can detect and prevent an unauthorized use of the system.

Regarding **claims 43 and 51**, as recited in claims 40 and 48, Seymour fails to teach that the unauthorized separation detection means detects the interruption of a closed conductive path via the releasable connector.

Nelson teaches that the switch blade 26 moves into engagement when the robber attempts to pull the purse (see col. 4, line 56- col. 5, line 12 and Figs 1 & 7).

It would therefore have been obvious to one of the ordinary skill in the art to combine the teaching of Nelson into the system of Seymour for the benefit of achieving a system that can detect and prevent an unauthorized use of the system.

Regarding **claim 44**, as recited in claim 40, Seymour further teaches that the portable device comprises a cellular radio transceiver (see "transceiver " in Fig. 2).

Regarding **claims 54 and 59**, Seymour discloses portable device (see Page 1, lines 1-5 and Fig. 1) comprising:

unauthorized separation detection means arranged to detect the unauthorized separation of the portable device from a counter part device (automatic inhibition of operation upon sensing absence of intimate proximity to the base (see Page, last paragraph- Page 2, line 3) and a micro switch or light sensor, which is associated with the "counter part device" could be disposed on a face of the telephone (see Page 7, lines 15-25)

control means (automatic inhibition of operation, see Page 2, lines 1-7) arranged to effect at least partial disablement of the portable device in response to the unauthorized separation of the portable device, wherein the portable device and the counterpart device are arranged to form a wireless couple the diminution of which is detectable by the unauthorized separation detection means(see Page 1, lines 1-5 and Fig. 1).

However, Seymour fails to teach separation of the of device worn by a person.

Nelson teaches that the spring slip 55 is released from the device as a robber removes the purse, see col. 4, line 56- col. 5, line 12 and Figs 1 & 7).

It would therefore have been obvious to one of the ordinary skill in the art to combine the teaching of Nelson into the system of Seymour for the benefit of achieving a system that can detect and prevent an unauthorized use of the system.

Regarding **claim 55**, as recited by claim 54, Seymour further discloses that the portable device comprises a cellular radio transceiver (see "transceiver " in Fig. 2).

Regarding **claim 60**, as recited by claim 59, Seymour further discloses that the counterpart device (micro switch or light sensor could be disposed on a face of the telephone, see Page 7,

lines 15-26) comprises a cellular radio transceiver or mobile telephone (see "transceiver" in Fig. 2).

Regarding **claim 63**, Seymour discloses a portable device having a radio transmitter (see Page 1, lines 1-5 and Fig. 1) comprising:

 unauthorized separation detection means arranged to detect the unauthorized separation of the portable device (automatic inhibition of operation upon sensing absence of intimate proximity to the base (see Page, last paragraph- Page 2, line 3) and control means (automatic inhibition of operation, see Page 2, lines 1-7) arranged to effect at least partial disablement of the portable device in response to the unauthorized removal of the device (see Page 1, lines 1-5 and Fig. 1).

 However Seymour fails to teach the separation detection means of the device to from a person.

 Nelson teaches separation detection means are means for detecting the release of a releasable connector connecting the portable device to a person (spring slip 55 is released from the device as a robber removes the purse, see col. 4, line 56- col. 5, line 12 and Figs 1 & 7).

 It would therefore have been obvious to one of the ordinary skill in the art to combine the teaching of Nelson into the system of Seymour for the benefit of achieving a system that can detect and prevent an unauthorized use of the system.

3. **Claims 45,46,47,52,53,56-58,61 and 62 are rejected under U.S.C. 103(a) as being unpatentable over Seymour et al in view of Nelson et al., and further in view of Rohrbach (U.S. 5,898,783), (hereinafter Rohrbach).**

Regarding **claim 45**, as recited in claim 44, the combination of Seymour and Nelson fails to teach that the control means is arranged to effect at least partial disablement of the portable device by controlling the cellular radio transceiver to transmit a disable message.

Rohrbach teaches that the data communication circuitry 200 transmits a code to the communication network via the mobile station 100 and in response to receiving a disable command, the disabling circuitry 220 is operative to prevent operation of the SIM card in the network (see col. 4, lines 14-25 and Figs. 2 & 3).

It would therefore have been obvious to one of the ordinary skill in the art to combine the teaching of Rohrbach into the system of Seymour and Nelson for the benefit of achieving a system that provides a way of remotely disabling SIMs and smartcard in the telecommunication network.

Regarding **claims 46 and 53**, as recited in claims 40 and 48, the combination of Seymour and Nelson fails to teach that the portable device is or comprises a cellular mobile telephone for operation in a cellular communications network and the control means is arranged to effect at least partial disablement of the portable device by sending a disabling message to the network for disabling normal operation of the telephone in the network.

Rohrbach further teaches that the data communication circuitry 200 transmits a code to the communication network via the mobile station 100 and in response to receiving a disable command, the disabling circuitry 220 is operative to prevent operation of the SIM card in the network (see col. 4, lines 14-25 and Figs. 2 & 3).

It would therefore have been obvious to one of the ordinary skill in the art to combine the teaching of Rohrbach into the system of Seymour and Nelson for the benefit of achieving a system that provides a way of remotely disabling SIMs and smartcard in the telecommunication network.

Regarding **claim 47**, as recited in claim 46, the combination of Seymour and Nelson fails to teach that the mobile telephone comprises a handset and a replaceable card, which enables the handset to operate as a telephone in the network, and the network is responsive to the disabling message sent by the mobile telephone to disable the card from normal use in the network and/or to disable the handset from normal use in the network.

Rohrbach further teaches that the SIM card 110 or smart card cooperates with a mobile phone 100 to effect communication with the telecommunication network (see col. 3, lines 61-66).

It would therefore have been obvious to one of the ordinary skill in the art to combine the teaching of Rohrbach into the system of Seymour and Nelson for the benefit of achieving a system that provides a way of remotely disabling SIMs and smartcard in the telecommunication network.

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Regarding **claim 52**, as recited in claim 48, the combination of Seymour and Nelson fails to teach that the control means is arranged to control the radio transmitter to send a message in response to the release of the releasable connector.

Rohrbach teaches that the data communication circuitry 200 transmits a code to the communication network via the mobile station 100 and in response to receiving a disable command, the disabling circuitry 220 is operative to prevent operation of the SIM card in the network (see col. 4, lines 14-25 and Figs. 2 & 3).

It would therefore have been obvious to one of the ordinary skill in the art to combine the teaching of Rohrbach into the system of Seymour and Nelson for the benefit of achieving a system that provides a way of remotely disabling SIMs and smartcard in the telecommunication network.

Regarding **claim 56**, as recited in claim 55, the combination of Seymour and Nelson fails to teach that the control means is arranged to effect at least partial disablement of the portable device by controlling the cellular radio transceiver to transmit a disable message.

Rohrbach teaches that the data communication circuitry 200 transmits a code to the communication network via the mobile station 100 and in response to receiving a disable command, the disabling circuitry 220 is operative to prevent operation of the SIM card in the network (see col. 4, lines 14-25 and Figs. 2 & 3).

It would therefore have been obvious to one of the ordinary skill in the art to combine the teaching of Rohrbach into the system of Seymour and Nelson for the benefit of achieving a

system that provides a way of remotely disabling SIMs and smartcard in the telecommunication network.

Regarding **claim 57**, as recited in claim 54, the combination of Seymour and Nelson fails to teach that the portable device is a mobile telephone comprising a handset and a replaceable card and the control means is arranged to effect at least partial disablement of the mobile telephone by locking the handset to the replaceable card.

Rohrbach further teaches that the SIM card 110 or smart card cooperates with a mobile phone 100 to effect communication with the telecommunication network (see col. 3, lines 61-66) and the incapacitation of the SIM card in the system (see col. 4, lines 13-26), which corresponds to "locking".

It would therefore have been obvious to one of the ordinary skill in the art to combine the teaching of Rohrbach into the system of Seymour and Nelson for the benefit of achieving a system that provides a way of remotely disabling SIMs and smartcard in the telecommunication network.

Regarding **claim 58**, as recited in claim 54, the combination of Seymour and Nelson fails to teach that the portable device is or comprises a cellular mobile telephone for operation in a cellular communications network and the control means is arranged to effect at least partial disablement of the portable device by sending a disabling message to the network for disabling normal operation of the telephone in the network.

Rohrbach further teaches that the data communication circuitry 200 transmits a code to the communication network via the mobile station 100 and in response to receiving a disable command, the disabling circuitry 220 is operative to prevent operation of the SIM card in the network (see col. 4, lines 14-25 and Figs. 2 & 3).

It would therefore have been obvious to one of the ordinary skill in the art to combine the teaching of Rohrbach into the system of Seymour and Nelson for the benefit of achieving a system that provides a way of remotely disabling SIMs and smartcard in the telecommunication network.

Regarding **claim 61**, as recited in claim 60, the combination of Seymour and Nelson fails to teach that the control means is arranged to effect at least partial disablement of the portable device by controlling the cellular radio transceiver to transmit a disable message.

Rohrbach teaches that the data communication circuitry 200 transmits a code to the communication network via the mobile station 100 and in response to receiving a disable command, the disabling circuitry 220 is operative to prevent operation of the SIM card in the network (see col. 4, lines 14-25 and Figs. 2 & 3).

It would therefore have been obvious to one of the ordinary skill in the art to combine the teaching of Rohrbach into the system of Seymour and Nelson for the benefit of achieving a system that provides a way of remotely disabling SIMs and smartcard in the telecommunication network.

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Regarding **claim 62**, as recited in claim 59, the combination of Seymour and Nelson fails to teach that the portable device is a mobile telephone comprising a handset and a replaceable card and the control means is arranged to effect at least partial disablement of the mobile telephone by locking the handset to the replaceable card.

Rohrbach further teaches that the SIM card 110 or smart card cooperates with a mobile phone 100 to effect communication with the telecommunication network (see col. 3, lines 61-66) and the incapacitation of the SIM card in the system (see col. 4, lines 13-26), which corresponds to "locking".

It would therefore have been obvious to one of the ordinary skill in the art to combine the teaching of Rohrbach into the system of Seymour and Nelson for the benefit of achieving a system that provides a way of remotely disabling SIMs and smartcard in the telecommunication network.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sasakura et al. (U.S. 6,151,493) teaches a device for prohibiting unauthorized use of electronic device


Helle (U.S. 6,662,023) teaches a method and approval for controlling and securing mobile phone that are lost, stolen or misused.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kwasi Karikari whose telephone number is 571-272-8566. The examiner can normally be reached on M-F (8 am - 4pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha D. Banks-Harold can be reached on 571- 272 5905. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kwasi Karikari
Patent Examiner.


CHARLES APPIAH
PRIMARY EXAMINER